

#272 Outdoor Furnaces

AN ORDINANCE FOR THE INSTALLATION AND USE OF OUTDOOR FURNACES DESIGNED FOR STRUCTURE HEAT.

Section 1. Purpose:

Whereas, It is the purpose of this ordinance to establish and impose restrictions upon the construction and operation of outdoor furnaces within the limits of the Municipality of Bristol for the purpose of securing and promoting the public health, comfort convenience, safety, welfare and prosperity of the municipality and its inhabitants;

Whereas, It is generally recognized that the types of fuel used, and the scale and duration of the burning by such furnaces create noxious and hazardous smoke, soot, fumes, odour, air pollution, particles, and other products of combustion that can be detrimental to citizen's health, and can be deprive neighbouring residents of the enjoyment of their property or premises;

Whereas, The Council of the Municipality of Bristol considers that it is in the interest of all citizens of the Municipality of Bristol that the present by-law be adopted and that the objectives of the By-law be accomplished;

Whereas, Notice of Motion has been given on June 5, 2006 by Cr. Chris Young;

Therefore, it is motioned by Cr. Young and the Council of the Municipality of Bristol enacts and ordains as follows:

Section 2. Definition:

The words "Outdoor furnaces designed for structure heat" shall mean, but is not limited to, any device, appliance, equipment apparatus or structure that:

Is designed, intended, and/or used to provide heat and/or hot water to any associated structure, pool, shop, greenhouse.

Operates by burning wood or any other solid fuel including but not limited to: coal, paper pellets, and agricultural products.

Is not located within the structure to be heated.

Includes, but not limited to, devices referred to as outdoor furnaces, outdoor boiler and outdoor stoves.

Section 3. Regulations:

Shall have a chimney stack not less than ten feet (10') high from the base. Said chimney stack will also have a spark arrester installed on top. Outdoor furnaces are considered a construction and must be located in side or rear courts

as space allows with respect to construction guidelines for side and rear courts and can not be located any closer than two hundred (200') feet from the nearest dwelling.

An area of twenty (20') feet around the outdoor furnace structure shall be free of vegetation, except grass not exceeding four (4 in.) inches in length.

No fuel other than natural wood, without additive, wood pellets without additive, and agricultural seeds in their natural state may be burned, including coal.

Outdoor furnaces and associated installation shall be subject to inspection by the Building Inspector at any reasonable time to assure compliance with the terms hereof.

Outdoor furnace installation is subject to the permit provision hereof including furnishing the following information:

- a) A drawing providing and identifying all of the information necessary to assure compliance herewith.
- b) Manufacturer's specifications for the outdoor furnace.
- c) Compliance with all applicable Provincial and Federal statutes.

This ordinance shall not be a defence to any civil claims.

Section 4. Enforcement:

Before commencing prosecution under this ordinance, the Building Inspector shall give notice to the person charged with violating this ordinance. Such notice shall be in writing, and shall be served upon said person or, at the option of the Building Inspector, by posting a copy of this notice on the land or attaching a copy of the notice to the building or structure. In addition, a copy of the notice shall be sent by registered mail to the owner of the land, building, or structure at the owner's last known address. The notice shall specify that failure to remedy the violation within ten (10) days of the date the served notice or twelve (12) days from the date of the mailing shall result in the issuance of a municipal fine.

Section 5. Fines:

Failure to comply with the requirements of this ordinance shall constitute a Municipal Infraction, which shall be processed in accordance with the bylaw # 272. The assessment and collection of fines and costs shall be in accordance with the Bylaw # 272. Each day's continued violation shall constitute a separate and distinct offense. Any person violating this ordinance shall be deemed to have committed a civil infraction, subject to the payment of civil fines of \$ 50.00 plus costs, for the first violation.

Any repeat offense shall be subject to increased fines as follows:

- a) First repeated offense shall be no less than \$ 150.00 plus costs.

1. A fine for any second repeated offense pi any subsequent repeated offense shall be no less than \$ 250.00 plus costs.

Section 6. Severability:

The section and provisions of this ordinance are declared to be severable and any portion which is declare inoperative or invalid for any reason by court of competent jurisdiction shall in no way affect the remaining section or provision of this ordinance.

EFFECTIVE DATE:

The present bylaw shall come into force according to law.